IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1840 OF 2006

1. The Rebello Road North Residents Association & 9 ors.] .. Petitioner

Versus

1. The Commissioner, Brihanmumbai Mahanagar Palika & 5 ors.] .. Respondents

And

1. Mrs. Mary Mascarenhas & 4 ors.] .. Applicants

Mr. Denzil D'Mello for the petitioners.

Mrs. Aruna K. Savla for the respondents No.1 to 5.

CORAM: R.M. LODHA, &
SMT. NISHITA MHATRE, JJ.

DATED: 10TH JANUARY, 2007

P.C. :

. The counsel for the respondents submits that in the light of the ad-interim order passed by the Vacation Judge of this Court on 12th May, 2006, personal hearing shall be given to the petitioners before taking any action under Section 299 of the Mumbai Municipal Corporation Act, 1888 and that the legal process shall be followed.

2. In view thereof, the Writ Petition is disposed of by the following order:

(i) The respondents shall take into consideration the reply submitted by the petitioners to the Notice issued under Section 299, and, after giving personal hearing to the petitioners, pass an appropriate order under Section 299 of the Mumbai Municipal Corporation Act, 1888.

(ii) Until the order is passed as directed above and for a period of four weeks therefrom the status quo with regard to the subject property shall be maintained.

Sd/-
[R.M. LODHA, J.]

Sd/-
[SMT. NISHITA MHATRE, J.]